

1 DAVID L. ANDERSON (CABN 149604)
2 United States Attorney

3 HALLIE HOFFMAN (CABN 210020)
4 Chief, Criminal Division

5 SHAİLİKA S. KOTIYA (CABN 308758)
6 Assistant United States Attorney

7 450 Golden Gate Avenue, Box 36055
8 San Francisco, California 94102-3495
Telephone: (415) 436-7443
FAX: (415) 436-7234
shailika.kotiya@usdoj.gov

9 Attorneys for United States of America

10 UNITED STATES DISTRICT COURT
11 NORTHERN DISTRICT OF CALIFORNIA
12 SAN FRANCISCO DIVISION

13 UNITED STATES OF AMERICA,) NO. CR 19-0054 RS
14 Plaintiff,)
15 v.)
16 EMANUEL RIVERA,)
17 Defendant.)
18)
19)
20 _____

) STIPULATION AND [PROPOSED] ORDER TO
TO CONTINUE JANUARY 7, 2020, STATUS
CONFERENCE TO JANUARY 14, 2020, AND TO
EXCLUDE TIME UNDER THE SPEEDY TRIAL
ACT

21 The parties are presently set to appear before the Court on January 7, 2020, for a status
22 conference. Presently, the defendant Emanuel Rivera and the government are finalizing a potential
23 change of plea, including a review of discovery in this case, and evaluating the potential resolution in
24 light of that discovery. In light of this status of the case as to this defendant, the parties jointly request
25 that the Court continue the January 7, 2020, status conference, one week and set a change of plea/trial
26 setting hearing for January 14, 2020, at 2:30 p.m.

27 In addition, the parties agree and jointly request that the time between January 7, 2020, and
28 January 14, 2020, be excluded in order to provide reasonable time necessary for the effective

STIPULATION AND PROPOSED ORDER
CASE NO. CR 19-0054 RS

1 preparation of counsel, pursuant to 18 U.S.C. § 3161(h)(7)(B)(iv). The parties agree that the ends of
2 justice served by granting the continuance outweigh the best interests of the public and the defendant in
3 a speedy trial.

4 SO STIPULATED:

5 DATED: December 31, 2019

DAVID L. ANDERSON
United States Attorney

6
7 /s/
8 SHAILIKA S. KOTIYA
9 Assistant United States Attorney

10 /s/
11 ERICK GUZMAN
12 Attorney for Emanuel Rivera

1 [PROPOSED] ORDER

2 For the reasons stated above, the Court vacates the January 7, 2020, status conference and sets a
3 change of plea/trial setting hearing for January 14, 2020, at 2:30 p.m. The Court finds that the exclusion
4 of time from January 7, 2020, through and including January 14, 2020, is warranted and that the ends of
5 justice served by the continuance outweigh the best interests of the public and the defendant in a speedy
6 trial. 18 U.S.C. § 3161(h)(7)(A). The failure to grant the requested continuance would deny effective
7 preparation of counsel, and would result in a miscarriage of justice. 18 U.S.C. § 3161(h)(7)(B)(iv).

8 IT IS SO ORDERED.

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10 DATED: 1/2/20

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30 HON. RICHARD SEEBORG
31 United States District Judge